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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                       |  |
|-----------------------|--|
| In re Application of: | Thomas J. Holman, Louis G. Ellis, Gregory K. Olson, Linda R. Lorentzen Cornelli, Richard J. Traxler, Scott M. Hanson, Tracee E.J. Eidenschink, and Sooja J.K. Williams |
| Application No.:      | 09/737118  |
| Filed:                | December 14, 2000  |
| For:                  | CATHETER WITH REMOVABLE BALLOON PROTECTOR AND STENT DELIVERY SYSTEM WITH REMOVABLE STENT PROTECTOR   |
| Examiner:             | Ms. Uyen T. Ho   |
| Group Art Unit:       | 3731   |
| Firm Docket No.:      | S63.2N-5748-US03   |

## MAIL STOP AMENDMENT

DATE: October 4, 2006 TIME: 4:00 P.M. FACSIMILE NO.: 571-273-8300TOTAL NUMBER OF PAGES (including transmittal letter): 31

## FACSIMILE TRANSMITTAL LETTER

In addition to this 2 page Facsimile Transmittal Letter, following please find 2 pages Request for Reconsideration; and 27 pages Amendment and Correction of Previous Statements.

With respect to fees: ☒ No additional fee is believed to be required  
☒ Charge any fee to our Deposit Account No. 22-0350

## Conditional Petition

If any extension of time for the accompanying response is required or if a petition for any other matter is required, applicant requests that this be considered a petition therefore.

If any additional fees associated with this communication are required and have not otherwise been paid, please charge the additional fees to Deposit Account No. 22-0350. Please credit overpayment associated with this communication to the Deposit Account No. 22-0350.

Respectfully submitted,  
VIDAS, ARRETT & STEINKRAUS

Date: October 4, 2006

By:   
Scott Q. Vidas  
Registration No.: 30812

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*Transmittal Letter  
Request for Reconsideration  
Page 2*

*Application No.: 09/737118  
Attorney Docket No.: S63.2-6748-US03*

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Signature. 

Robin Peddieson

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| <b>For:</b>                  | <b>CATHETER WITH REMOVABLE BALLOON PROTECTOR AND STENT DELIVERY SYSTEM WITH REMOVABLE STENT PROTECTOR</b>  |
| <b>Examiner:</b>             | <b>Ms. Uyen T Ho</b>   |
| <b>Group Art Unit:</b>       | <b>3731</b>  |

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Docket No.: S63.2N-6748-US03****REQUEST FOR RECONSIDERATION**

In a paper dated July 27, 2006 the Examiner stated that our reply filed on May 4, 2006 was not fully responsive to a prior Office Action. The Examiner apparently assumed that the response filed May 4, 2006 was in reply to the Office Action dated October 19, 2005. Walter Steinkraus of our office spoke with the Examiner and was advised that the six month date had expired to respond to the October 19, 2005 Office Action. He pointed out that the May 4, 2006 reply was a timely response to the April 5, 2006 Office Action which had set a one month reply date.

The undersigned discussed this prosecution with the Examiner. Her belief was that the May 4, 2006 reply was simply a re-dated version of our response of January 19, 2006. I explained that it was not and sent a fax on August 10, 2006 marked up to show the differences between our prior response which clearly showed that we were responding to the April 5, 2006 Office Action.

The undersigned conferred several times with the Examiner to determine if the marked up copy of the May 4, 2006 response was deemed fully responsive. I was told orally that it was not and that the prosecution would continue but the interference

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*Request for Reconsideration*  
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*Application No.: 09/737118*  
*Attorney Docket No.: S63.2-6748-US03*

would no longer continue. It was noted that a patent may issue on this application in addition to the outstanding patent for which this interference was sought.

Applicant requests reconsideration of the apparent oral decision to terminate the interference and requests that any decision be in writing and with specificity such that Applicant may petition or appeal with particularity.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: October 4, 2006

By: \_\_\_\_\_

  
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